

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

UNITED STATES OF AMERICA

§

vs.

§

NO: DR:10-CR-01352(1)-AM

(1) JOSE INEZ GARCIA ZARATE

§

**ORDER REVOKING SUPERVISED RELEASE
AND RE-SENTENCING DEFENDANT**

On **May 12, 2011**, came on to be heard before the Court, the Government's Amended Petition to Revoke the Defendant's term of supervised release filed on **October 26, 2010**. The defendant, **(1) JOSE INEZ GARCIA ZARATE**, appeared with his attorney **Gregory D. Torres**, and the government appeared by Assistant United States Attorney, **Robert Cadena**, in the above-entitled and numbered criminal action.

The defendant pled not true to the Violations alleged in the Petition to Revoke Supervised Release.

The Court finds by a preponderance of the evidence, after having conducted an evidentiary final revocation hearing on **May 12, 2011**, that the defendant has violated the terms of supervised release as alleged in the said petition. Thus, the Government's Amended petition to revoke will be and is hereby **GRANTED**.

Upon oral Motion by the Government to dismiss the original petition to Revoke Supervised Release hereby **GRANTED**.

It is hereby ORDERED that the terms of supervised release ordered on **November 7, 2003**, as set out in the judgment entered on **November 21, 2003**, being the same, is hereby

revoked and set aside pursuant to the Sentencing Reform Act of 1984.

It is further **ORDERED** that the defendant, **(1) JOSE INEZ GARCIA ZARATE** be committed to the custody of the U.S. Bureau of Prisons for a term of **TWENTY-ONE (21) months**, pursuant to 18 U.S.C. § 3583(e)(3). The sentence in this case shall run consecutively to the Sentence imposed in **DR-09-CR-1278(1)**. No further term of supervised release is imposed.

The Court recommends that the defendant be incarcerated in a Medical facility.

The Court recommends that the defendant be incarcerated as close to FCI Florence Colorado, if possible.

SIGNED on this 13th day of May, 2011.



ALIA MOSES
UNITED STATES DISTRICT JUDGE

RETURN

I have executed this Revocation Order as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Order.

United States Marshal

By: _____
Deputy Marshal